

MEETING MINUTES FOR 10-8-14 VIOLENT CRIME COORDINATION COUNCIL (VCCC) DRAFT

Council members present: John Gross; Hector Garcia; Jim Jensen; Kip Carver (for Rich Stanek); Ken Reed (for Thomas Smith); Mike Goldstein; Drew Evans (for Wade Setter); John Kirkwood (for Matt Bostrom); Brian Mueller (for Bill Hutton); David Voigt; Melvin Carter; Cari Gerlicher; David Hermerding; and Richard Dusterhoft.

DPS Staff: Kristin Lail and Brian Marquart.

Guests: Don Rothstein; Pete Dietzman; and Ben Campbell.

Absent: Andy Luger; Andy Bohlen; Janee Harteau and Bill Ziegler.

Meeting materials:

- VCCC 10/8/14 agenda
- VCCC 8/13/14 Draft meeting minutes
- VCCC 2014 Membership List
- Statewide Commander Report 10-8-14
- 11/12/14 Twin Ports Heroin Town Hall Meeting Announcement
- Minnesota 9-Point Gang Criteria
- Legislative Commission on Data Practices 10/10/14 Meeting Announcement
- Draft revision to section 2-01 of the VCET Guidelines Manual
- Minnesota Methamphetamine Treatment Admissions CY2009-2013
- 10/9/14 Law Enforcement Mental Health Webinar
- VCCC 2015 Meeting Schedule and Proposed Speakers/Topics
- Minnesota Fusion Center brochure and Gang Analyst information packet

Location: St. Cloud Police Department

Welcome and Introductions: Chair Jim Jensen called the meeting to order at 8:30 a.m.

Membership Updates: Ramsey County Assistant County Attorney Richard Dusterhoft was welcomed as the new metro prosecutor representative from the Minnesota County Attorney's Association. Faribault Chief of Police Andy Bohlen has been appointed by the Minnesota Chiefs of Police Association, but was unable to attend this meeting. OJP has contacted the Minnesota American Indian Affairs Council to appoint a tribal investigator to the position vacated by Chris Benson, and also the Minnesota Asian and Pacific Islander Affairs Council for a position that has been vacant since the formation of the VCCC.

M/S/P (Hermerding/Voigt) Motion to approve 8-13-14 meeting minutes.

M/S/P (Goldstein/Hermerding) Motion to approve the 10-8-14 agenda.

Grant Administration Update

Kristin Lail provided an overview of past task force funding, noting that the amount available for 2015 was \$4.4 million including \$600,000 federal JAG funds and \$3.8 million state funds. There was an additional \$200,000 in state funds, transferred from unspent VCET and training projects, that is available for 2015 only. There were 25 applications received including 22 current and three new grantees, requesting more than \$5.5 million in grant funding. Two peer review groups were convened in metro and greater Minnesota to score, discuss and rank applications. Five proposals received an 'excellent' rating, 15 'satisfactory,' three 'weak,' and review groups determined that two applicants did not meet the minimum application requirements. Second-level review by OJP staff considered state audits, site visits, statistics, staffing and agency participation, along with historic funding patterns and grant management. Recommendations were reviewed, discussed and approved by Commissioner Dohman and award letters will be sent to applicants in mid-October. Nine applicants will receive an increase over 2014 grant amounts, 8 will remain the same, 4 will be decreased slightly, 2 will receive a base amount of \$35,000 for a 1-county VCET serving a population of less than 100,000. OJP plans to provide planning funds for a coordinated tribal application. Once 2015 grants are executed, OJP staff will plan commander trainings and conduct comprehensive site visits which will provide input to the continuation funding recommendations for 2016. Year two funding amounts are not yet known.

Statewide Commander Update

Brian Marquart provided an overview of the revised 2014 data collection form, summary of data received for the first six months, and annual projections. Seizures of methamphetamine, heroin and prescription drugs remain high. Synthetics have declined and VCETs are now separating cannabinoids (marijuana) from cathinones (bath salts). Methamphetamine (43%), marijuana (21%) and prescriptions (14%) are involved in most of the drug arrests; however meth labs remain constant with less than 30 per year. To support the priority of targeting mid- and upper-level dealers, degrees of felony arrests are now being reported, with documentation of 5th degree marijuana cases that involve a gun. Placement of minor children, gun seizures, and gang members are also noted. Finally, non-drug cases are reported as part 1, part 2, property offenses and warrants to document violent crime cases. He also provided a summary of VCET site visits, audit report review and training on drug trends, meth lab recertification, and prescription drug abuse and overdoses.

Standing Committee Updates

Community Engagement Committee: Hector Garcia noted that Duluth is proposing to host a Heroin Town Hall meeting on Wednesday, November 12th. Council members discussed whether VCET community meetings should follow the roundtable model and agreed that commanders and advisory boards can develop their own meeting format, in collaboration with local community leaders. OJP staff will follow-up with Lake Superior Gang & Drug Task Force to determine if there are any technical assistance needs for this meeting. Information from the Department of Justice on a new National Initiative for Building Community Trust and Justice was also provided.

Data Committee: Drew Evans provided an update on the gang data project. He noted that while the new 9-point gang criteria were established in October of 2012, the collection and analysis of data has just begun. Bureau of Criminal Apprehension (BCA) staff have reviewed the criteria and are using it in training for law enforcement and gang data collection efforts. County attorneys noted that prosecutions of crimes for the benefit of a gang typically use testimony from other gang members to establish gang affiliation. There is not a need to make any changes to the criteria at this time and he suggested that it remain the same until the next statutory review period. If staff identify an immediate need for modification of the gang criteria, it can be presented and discussed with the VCCC prior to 2016.

M/S/P (Goldstein/Voigt) Motion to approve continuation of current 9-Point Gang Criteria for the next two years. The motion passed.

Gang Analyst Ben Campbell provided an overview of the Minnesota Fusion Center and outreach to law enforcement agencies on documentation of known criminal gangs in Minnesota and individual gang members through the IceFishX website. To date, 18 gangs have been entered in to the system and now individual criteria for identified gang members can be entered. This is public data provided by the local case agent. Local law enforcement officers can check status of individuals through the BCA Command Center. Once three gang criteria have been confirmed, the individual will be entered into the gang pointer file, which is a confidential intelligence database. BCA has maintained and regularly purged data from the Gang Pointer File, annually auditing and reporting to the Commissioner of Public Safety. No new entries have been added in the past several years.

Lunch break

Governance Committee: Ken Reed summarized the September 11th meeting of the governance committee to review relevant legislative issues and make recommendations to the Commissioner of Public Safety. At that time, OJP had received VCET grant applications that exceeded the available state and federal funding available by more than \$1.3 million. The committee noted that there were three new VCET applications, including a coordinated tribal proposal, and expansion of current VCETs adding county and city partners and expanding staffing. With available funding remaining constant and likely decreasing slightly in 2016, the Committee recommends that the VCCC ask the Commissioner to include a request for an additional \$390,000 in funding annually for VCETs in the Department of Public Safety legislative plan for the 2016-17 biennium. Members acknowledged that this request would not impact the 2015 awards discussed earlier, but would provide additional funds for continuation grants, particularly the implementation of the coordinated tribal planning grant and significant expansion of the Pine to Prairie Task Force in northwestern Minnesota and other counties not currently participating in a VCET.

M/S/P (Gerlicher/Goldstein) Motion to recommend that the Commissioner of Public Safety request an additional \$390,000 annually for the VCETs in the next biennial budget. The motion passed.

There was also discussion about the Legislative Commission on Data Practices and pending legislation on traveling law enforcement data, License Plate Readers (LPR) and asset forfeiture.

Professional Standards Committee: Cari Gerlicher noted that recent vacancies on the VCCC have reduced the number of committee members to two, and requested new members, particularly prosecutors, to consider participating on the professional standards committee. They have reviewed audit findings and have developed revised language for the Personnel Chapter of the Multijurisdictional Task Force Operating Procedures and Guidelines Manual. Section 2-01 on Investigator Selection and Employment Status would be amended to note that “no commander or investigator shall be assigned if they have *sustained* administrative or court findings of prior acts, or acts during tenure, which bear on truthfulness or credibility.” There was discussion about retention of disciplinary records and *Giglio* issues affecting VCET staff court testimony. VCCC members should forward any feedback or recommended edits to her and a vote will be planned for the December meeting.

M/S/P (Reed/Dusterhoft) Motion to Adjourn: The meeting was adjourned at 12:45 p.m.

Afternoon presenters included Jason Grellner from the state of Missouri on methamphetamine trafficking and Jill Peterson from Metro State University on substance abuse and mental health. Additional information on states substance abuse treatment admission rates for methamphetamine and a law enforcement mental health webinar.

The next VCCC meeting will be held at the Minnesota Department of Corrections on Wednesday, December 12th.